

Leslie Bryan Hart, Esq. (SBN 4932)  
 John D. Tennert, Esq. (SBN 11728)  
 FENNEMORE CRAIG, P.C.  
 300 E. Second St., Suite 1510  
 Reno, Nevada 89501  
 Tel: 775-788-2228 Fax: 775-788-2229  
 lhart@fclaw.com; jtennert@fclaw.com

(Pro Hac Vice to be submitted)  
 Asim Varma, Esq.  
 Howard N. Cayne, Esq.  
 Michael A.F. Johnson, Esq.  
 ARNOLD & PORTER LLP  
 555 12th Street NW  
 Washington, DC 20004  
 Tel: (202) 942-5000 Fax: (202) 942-5999  
 Asim.Varma@aporter.com; Howard.Cayne@aporter.com; Michael.Johnson@aporter.com

*Attorneys for Proposed Intervenor Federal Housing Finance Agency*

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

FIRST 100, LLC,

Plaintiff,

vs.

FEDERAL HOME LOAN MORTGAGE  
 CORP.; and ALEXANDRE DUPRE, LLC,  
 Defendants.

CASE NO.: 2:15-cv-01303-APG-PAL

**STIPULATION TO ENTRY OF ORDER  
 AND [PROPOSED] ORDER  
 PERMITTING FEDERAL HOUSING  
 FINANCE AGENCY TO INTERVENE AS  
 CONSERVATOR OF THE FEDERAL  
 HOME LOAN MORTGAGE CORP.**

FEDERAL HOME LOAN MORTGAGE  
 CORP.,

Counterclaimant,

vs.

FIRST 100, LLC,

Counter-Defendant.

1. The Federal Housing Finance Agency ("FHFA" or "Conservator"), as Conservator for Defendant Federal Home Loan Mortgage Corp. ("Freddie Mac"), seeks to intervene in the above-captioned action pursuant to 12 U.S.C. § 4617(b)(2)(A)(i) and Fed. R. Civ. P. 24.

///

2. On September 6, 2008, FHFA's Director appointed the FHFA Conservator of the Federal National Mortgage Association ("Fannie Mae") and Freddie Mac in accordance with the Housing and Economic Recovery Act of 2008, Pub. L. 110-289, 122 Stat. 2654 (codified at 12 U.S.C. § 4617) ("HERA"), and the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. § 4501, et. seq.).

3. The FHFA, as Conservator, has succeeded to "all rights, titles, powers, and privileges" of Freddie Mac, including its right to sue and be sued in the federal courts. *See* 12 U.S.C. § 4617(b)(2)(A)(i).

4. Accordingly, FHFA asserts that it has an unconditional federal statutory right to intervene in this matter, *see* Fed. R. Civ. P. 24(a)(1), and to assert its interests in a manner consistent with the Conservator's powers and duties.

5. Pursuant to Fed. R. Civ. P. 24(c), FHFA attaches as **Exhibit A** its intended Answer.

#### STIPULATION

FHFA and Plaintiff/Counter-Defendant First 100, LLC, through their attorneys of record, hereby stipulate and request that the Court make this stipulation an order of the Court:

///

///

///

///

///

///

///

///

///

///

The FHFA shall be permitted to intervene in the above-referenced action pursuant to 12 U.S.C. § 4617(b)(2)(A)(i) and Fed. R. Civ. P. 24.

DATED this 28<sup>th</sup> day of August, 2015.

**WEIL & DRAGE, APC**

**FENNEMORE CRAIG, P.C.**

By: /s/ C. Robert Peterson  
C. Robert Peterson, Esq. (SBN 11680)  
2500 Anthem Village Drive  
Henderson, NV 89052  
Tel: 702-314-1905 Fax: 702- 314-1909  
bpeterson@weiltdrager.com

By: /s/ Leslie Bryan Hart  
Leslie Bryan Hart, Esq. (SBN 4932)  
John D. Tennert, Esq. (SBN 11728)  
300 E. Second St., Suite 1510  
Reno, Nevada 89501  
Tel: 775-788-2228 Fax: 775-788-2229  
lhart@fclaw.com; jtennert@fclaw.com

*Attorneys for Plaintiff/Counter-Defendant First  
100, LLC*

*Attorneys for Proposed Intervenor Federal  
Housing Financing Agency*

**AKERMAN LLP**

By: /s/ Darren T. Brenner  
Darren T. Brenner, Esq. (SBN 8386)  
Tenesa S. Scaturro, Esq. (SBN 12488)  
1160 Town Center Drive, Suite 330  
Las Vegas, Nevada 89144  
Tel: (702) 634-5000 Fax: (702) 380-8572  
darren.brenner@akerman.com;  
william.habdas@akerman.com

*Attorney for Defendant/Counterclaimant  
Federal Home Loan Mortgage Corp.*

**ORDER**

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: August 28, 2015

10749436.1